



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Pat Quinn, Governor
Marc Miller, Director

May 6, 2014

Carrie Carter
Walter E. Deuchler Associates
230 Woodlawn Avenue
Aurora, IL 60506

Gary Bingenheimer
Illinois Environmental Protection Agency
1021 North Grand Avenue
Springfield, IL 62794

RE: CSO Long Term Control Plan Phase 2 – Interceptor River Crossing
IDNR Project # 1409865
Kendall County

Dear Ms. Carter and Mr. Bingenheimer:

This letter concerns the Endangered Species Consultation for the Fox Metro Water Reclamation District's upgrades of its south wastewater treatment facility. This consultation (1409865) is just for the interceptor improvement that crosses the Fox River from the west side and the installation of a junction chamber on the east. The project is located in Township 37N, Range 8E, Section 5 in Kendall County, and was submitted for consultation in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075.

A cofferdam is proposed for installing the interceptor, and project plans call for keeping half the river open during the construction. The state-listed endangered Greater Redhorse (*Moxostoma valenciennesi*) and state-listed threatened River Redhorse (*Moxostoma carinatum*) are known to occur at the site of the river crossing and construction is likely to adversely affect these species.

The Department recommends that no in-stream work be conducted during spawning season, which occurs from March 1 through June 15. Because use of a coffer dam is likely to result in a prohibited take of the two listed fish species, the Department recommends that you apply for Incidental Take Authorization (ITA) in accordance with *17 Ill Adm. Code Part 1080* (copy enclosed) for both species. Communication concerning the ITA application should be directed to Jenny Skufca, Office of Resource Conservation, 217-557-8243 or Jenny.Skufca@illinois.gov.

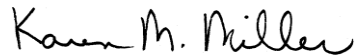
Consultation on the part of the Department is completed. In accordance with 17 Ill. Adm. Code 1075.40(h), please notify the Department of your decision regarding these recommendations.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions.

Sincerely,

A handwritten signature in black ink that reads "Karen M. Miller". The signature is written in a cursive style with a large, stylized 'K' and 'M'.

Karen M. Miller
Division of Ecosystems and Environment
Phone (217) 785-5500
karen.m.miller@illinois.gov